

**SOLICITATION FOR
PERMIT APPLICATIONS
FOR
CITYGARDEN PARK IN THE
DOWNTOWN VENDING DISTRICT
FOR THE CITY OF ST. LOUIS**

ISSUED BY THE DEPARTMENTS OF PARKS, RECREATION & FORESTRY

BACKGROUND

Ordinance 68603, which amends Ordinance 65061 and Ordinance 66680 and repeals Ordinance 68108, provides that the Director of Parks, Recreation and Forestry may issue up to ten (10) vehicle vendor or fixed location sidewalk vendor permits within City Parks located within the Downtown Vending District and that the Director of Streets may issue permits for locations within the Downtown Vending District. Vendors' permits in the Downtown Vending District shall be approved prior to issuance by the Board of Public Service.

The Downtown Vending District is the area bounded by the east side of Fourth Street on the east, the centerlines of Cole Street on the north, Eighteenth Street on the west, and Chouteau Street on the south.

PURPOSE AND INTENT

The purpose of this Solicitation is to seek individuals interested in vending within the Citygarden Park located in the Downtown Vending District..

The intent of this Solicitation is to award permits to the respondents who present detailed applications conforming to the requirements listed herein which are most advantageous to the Park Department. The Department reserves the right to award the permits resulting from this Solicitation to the respondents, as required and appropriate to meet the needs of the City.

The City intends to select Vendors to provide items for sale, e.g. food, beverage, clothing, etc. in the Citygarden Park. No person, partnership or corporation shall be issued more than two (2) Vendor's permits for locations within the Downtown Vending District.

CRITERIA

The Ordinance provides that the Director shall establish criteria as follows:

VENDING LOCATION

Citygarden Park

ITEMS TO BE SOLD

Food, Beverages, Clothing, etc.

HOURS OF VENDING

A sidewalk Vendor shall be required to operate a vending business a minimum of ninety (90) days per year for a minimum of four (4) hours per day.

ANNUAL FEE

The minimum annual fee for a Vendor's Permit shall be \$500 per year. The proposed payment submitted by the applicant will be the annual fee each year during the course of the three (3) year permit. Payment must be made each year during the term of the permit no later than December 31.

VENDORS MUST COMPLY WITH THE PARK DIVISION RULES AND REGULATIONS, "EXHIBIT A."

RANKING OF APPLICANTS

The Director shall rank the applications based upon:

- Completeness;
- Desirability, suitability, and diversity of product;
- Proposed payments to the City;
- Suitability of vending structure for the location;
- Contribution to diversity of products available from vendors and diversity of appearance of vendors' facilities;
- Size of operation;
- Cleanliness of kitchen operation;
- Flexibility of location;
- Complementary menus to Terrace View Café

If any prospective Vendor is in doubt as to the meaning of any part of the Solicitation for Applicants or the attachments, the Vendor may by January 24, 2011, submit to Gary Bess, Director of P, R & F (the "P R & F Director"), 5600 Clayton Avenue in Forest Park, St. Louis, MO 63110, a written request for an interpretation.

The City reserves the right to reject any or all applications in whole or part with or without cause; to request modification of applications in specified respects; to advertise for new applications; to waive minor irregularities and formalities; or to proceed to have services performed otherwise. The City also reserves the right to establish a “cure” period, in the event that all qualified applicants have not submitted the required information, for the purpose of obtaining complete applications. The submission of any application **shall not** in any way commit the City to issue a permit to that applicant or any other applicant. After the selection of the Vendors, the City will issue permits to said Vendors. The City reserves the right to terminate the selection process with any Vendor and proceed to discussion with another Vendor or Vendors or to terminate the process altogether. This list of the City’s rights is not all-inclusive.

TERM OF PERMIT

Permits awarded as a result of this process will expire on December 31, 2013.

INSURANCE

The chosen applicants must provide proof of adequate insurance, as listed on the Application, prior to the issuance of the permits. Insurance coverage must be maintained throughout the term of the permit.

DUE DATE OF RESPONSE

The completed, typewritten application, “Exhibit B”, together with all required documentation, must be submitted no later than **January 31, 2011.**

All responses shall be addressed and delivered to:

Mr. Gary D. Bess, Director
Parks, Recreation & Forestry
5600 Clayton in Forest Park
St. Louis, MO 63110

NON-DISCRIMINATION POLICY

The City is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, age, physical handicap, national origin or sexual orientation. Any person entering into any agreement with the City, and their agents shall not discriminate on the basis of race, color, religion, sex, age, physical handicap, national origin, or sexual orientation, nor shall they exclude from participation in, deny benefits of, or subject any person to discrimination under, any program or activity made possible or resulting from any agreement with the City.

Minority/Women's Business Enterprise Obligation: Permitted Vendors shall be expected to take all reasonable steps necessary to ensure that Minority and Women's Business Enterprises (M/WBEs) as certified with the City of St. Louis as defined in Mayor's Executive Order #28 have a maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with City of St. Louis funds under their permit, and to agree to comply with all applicable provisions of Executive Orders and ordinances relating to such matters. All Applicants shall set forth in their Application the proposed compliance measures. The Vendors shall not discriminate on the basis of race, religion, color, national origin, sex, and sexual orientation of physical handicap in award and performance of contracts financed in whole or part by the City of St. Louis.

PROPERTY OF THE CITY

All applications shall become the property of the City, upon receipt, which shall have the right to use or dispose in any way selected, without payment or liability of any kind.

INVESTIGATION OF CONDITIONS

Applicants are directed to inspect the site, to carefully read the Solicitation for Applications and attachments thereto, Ordinances 68603 and 65061, and to inform themselves fully of the conditions stipulated therein. No allowance will be made to any applicant for any

conditions on which he has failed to inform himself. The submission of an application will be construed by the City to mean that the applicant has made such examination and investigations and agrees to fulfill the requirements in full accordance with the Solicitation for Applications and that he is entirely familiar with and thoroughly understands all such requirements.

EXHIBIT A



**CITY OF
ST. LOUIS, MISSOURI**

**Department of Parks, Recreation & Forestry
5600 Clayton Avenue In Forest Park
St. Louis, MO 63110
Phone: (314) 289-5300; Fax: (314) 535-3901**

VENDING RULES & REGULATIONS FOR THE DOWNTOWN VENDING DISTRICT

- 1) All vending permits issued in 2011 will expire December 31, 2013.**
- 2) No person, partnership or corporation will be issued more than two park vending permits at any one time.**
- 3) The fee for a park vending permit shall be a minimum of \$500 per year payable in advance. Proposed payments in excess of the minimum base fee to the City will be one of the criteria for selecting vendors.**
- 4) Vendors are required to operate a minimum of 90 days per year for a minimum of 4 hours per day.**
- 5) A park vending permit may be revoked at any time by the Parks Director upon seven days notice by mail to the permit holder's businesses address of record. No refund of permit fees will be granted.**
- 6) Vending shall be conducted only between the hours of 6:00 a.m. to 10:00 p.m. (Ordinance #58262).**
- 7) Every park vendor shall indemnify and save harmless the City of St. Louis for all suits or actions brought against the City for or on account of any injuries or damages received or sustained by any party or parties by or from the said vendor, his/her employees or agents, or by or on account of any act or omission of said vendor. Further, every park vendor shall obtain and maintain insurance coverage as required by the Park Department. This insurance shall be in force at all times during the course of this permit.**
- 8) Park vending permits shall not be assigned by vendors in whole or part, nor any portion of the premises sublet.**
- 9) A park vending permit does not grant exclusive use of the area assigned. Special events permitted in adjacent areas are allowed to provide vendors during the course of such an event. The Park Director reserves the right to exclude dates from the vending permit.**

- 10) All products offered for sale and for public consumption by park vendors shall be number one, first grade quality. All Federal, State, and local regulations pertaining to the quality of products offered for sale shall be met by the vendors.
- 11) Park Vendors shall dispense all beverages and liquids in cans or paper/plastic cups. No glass bottles or containers shall be served to customers in the park (Ordinance #49771).
- 12) Park vendors shall provide at their own expense all equipment necessary to provide the items offered for sale in the conduct of the business. All equipment used shall be in a self-contained unit. No storage area, water, electric or other utilities will be supplied by the Park Department.
- 13) Pushcarts or other vehicles and equipment related to the vending operation shall not be parked, stored or left overnight in any park location.
- 14) Park vendors shall not block the passage of the public through a public area or interfere with access to ramps, curb cuts, or other conveniences for individuals with disabilities.
- 15) Motor vehicles are prohibited on park sidewalks, bike paths and turf areas when delivering pushcarts or other non-motorized vehicles or equipment.
- 16) Park vendors shall not leave their pushcart or other vending apparatus or equipment unattended at any time.
- 17) Park vending pushcarts and/or other equipment shall be approved by the Parks Director. Vending from a shopping cart, the trunk of a car or the back of a van, pickup truck or station wagon is prohibited.
- 18) Park vendors shall collect all litter and garbage generated in the operation of the business at the end of business each day and remove from the park. In addition, vendors shall retrieve any containers or food or litter that is carried away and left on park grounds. Vendors may not put refuse from the operation of their business in or beside any public trash container or in any drain along or in the streets or sidewalks.
- 19) The Director of Parks may revoke any Park Vendor's license issued by the Park Department if the Vendor violates any provisions of Ordinance 68603 or Ordinance 65061, or any license rules or regulations promulgated by the Director.

REVIEWED AND AGREED TO:

VENDOR SIGNATURE

(Please Print Name Signed Above)

Date Reviewed & Signed



CITY OF

ST. LOUIS, MISSOURI

Department of Parks, Recreation & Forestry
 5600 Clayton Avenue (In Forest Park)
 St. Louis, MO 63110
 Phone: (314) 289-5300; Fax: (314) 535-3901

**DOWNTOWN VENDING DISTRICT
 PARK SITE AND VEHICLE VENDING PERMIT APPLICATION**

Name of Business: _____

Contact Person: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone No.: _____ Mobile/Cell Phone: _____

Fax No.: _____ Email: _____

Type of Establishment (Check One):

- ☐ Towed/Pushed Hot Dog Cart
- ☐ Vehicle Vendor Truck

Please list all equipment to be used in the vending operation with the exception of the Pushcart or Vehicle:

Park Vending Location Requested: _____

Proposed Fee to Be Paid to City (Minimum \$500.00): _____

Please attach the following documents to this application:

- ▶ Detailed information relative to items to be sold, prices, and suppliers.
- ▶ Photograph of vending apparatus to be used in the vending operation.
- ▶ Certificate of Insurance: The Vendor shall take out and maintain for the life of this permit, adequate, public liability insurance insuring liability to persons not employed by him/her in an amount not less than \$1,000,000 for injuries or wrongful death to any person, and property damage in an amount of not less than \$1,000,000.
- ▶ Vehicle Insurance (If Vehicle Vendor): The Vendor shall take out and maintain for the life of this permit, adequate automotive/truck or other vehicle insurance with minimum coverage of \$1,000,000 each for both liability and under insured or uninsured motorists as well as any other coverage required by the State of Missouri.
- ▶ Vending/Business License from the License Collector's Office
- ▶ Health Department Food Permit
- ▶ Signed copy of the Park Division Vending Rules and Regulations.